# EFFORT TO SLAY STATE'S COUNSEL

Stranger Makes Attempt on Night Riders' Prosecutor.

SHOT MISSES ITS MARK

Newspaper Man Fires on the Would-be Assassin.

Woman Witness Retracts Statement She Made and Deciares She Was Told to Testify Falsely or Her Husband, one of Accused, Would Be Hanged-Grand Jury Presents Its Final Report to Judge Jones.

Union City, Jan. 2. - The city was startied to-night by an attempt made by a strange man to assassinate Attorney General D. J. Caldwell, chief counsel for the State in the prosecution of the night rider cases. The would-be assassin made ADDRESSES THE LEGISLATORS his escape, but officers and members of the State guard are making diligent search for the miscreant, and it is hoped Republicans of Buckeye Legislature that his capture will soon be effected.

Mr. Caldwell was on his way home about 9 o'clock, when a man who was hidden in the dark fired once at him, but without effect.

A well-known newspaper man of Union City, who was not far from Mr. Caldwell, wood was at once notified. The military authorities sent a detachment of soldiers in search of the assailant, and to-night a systematic lookout is being kept for sus-

Morris Returns to Jail.

Guarded by Sheriff C. A. Brasfield, of held this afternoon. Weakley County, walking between two files of soldiers, Wad Morris, one of didate suggested. den, where Morris goes back to jail, but pledged to abide by the decision. is likely to be released.

ness stand during the early part of the trial, and in consequence thereof threats of vengeance were made by friends of EARLY HOUR BLAZE the men accused.

When the defense called Mrs. Morris as a witness yesterday she swore that or the night of October 19 her husband was at home, and that they knew nothing of "The Fair" and King's Palthe assassination until the day following. This contradiction of her husband's statement created quite a surprise. To-day Attorney General Caldwell arose and asked that Mrs. Morris be recalled at her own request.

Reverses Her Story.

On taking the stand she was told by her own way what she desired to say. Mrs. Morris then said in trembling accents that the story she related previously was false. The witness said that when she swore that her husband was at home the night she believed it was right to do so, but her conscience now required her to tell the truth.

Mrs. Morris said, in explanation of why she had sworn to her husband being at home on the night of October 19, that variety store, known as "The Fair,"

dence in rebuttal.

This afternoon the special grand jury ments, embracing twenty-two men, and

charging conspiracy and night riding. arrived. The work of the grand jury began on December 7, and up to to-day the indict- tinguishing the flames on the sec- her slight figure was occasionally shaken ments brought in in the night rider cases number about ninety, and nearly 150 men ond and third floors, and were sucments brought in in the night rider cases

### LEGACY LEFT BY KING.

Family in London,

London, Jan. 2.-The romantic story of quered. a legacy left by Charles II was told to- At 3:40 o'clock the flames in about the events that followed she seemday. When fleeling from the hattle of both buildings were under control. Worcester in 1651, Charles, as is well known, was assisted to a hiding place in The first floor of "The Fair" was "I saw his face the instant I came out far as politics and subdivisions are conan oak tree by Farmer Richard Penderel. not reached by the flames, but much of the door," she sobbed, "and it was cerned. Charles granted the former's family of the door," she sobbed, "and it was cerned. Charles granted the farmer's family six damage resulted to stock, which he had been hurt. It was awful, awful. perpetual legacies-two of £100 a year consists of toys, cooking utensils, and I—" Here speech left her, and she welcome he has received in the "Heart

Nine years ago a London fruit porter, Richard Penderel, died, leaving a four- It is estimated the loss to "The was not a dry eye in the courtroom, but year-old daughter unprovided for. His Fair" will be about \$2,000. sister, wife of a London cabman named The King's Palace, which is a nerves, pushed herself backward into Cassin, took the child into her own family, for which it was difficult enough to well-known millinery store, was the chair, and, through eyes deeply something of Charles's legacy as a sort the exact figures were not obtain- now sympathetic, weeping sister, conof family myth, but had never regarded able.

Pressed by hard times, on seeing a reference to the Penderel legacy in a newspaper, she began to make inquiries. Eventually she was amazed to find that her niece was entitled to £1 a week for ren Hunter was married at Duffields on ren Hunter was married at Duffields on awaiting her. The trustees of the legacy nied and the report is branded as untrue. were made her niece's guardians, and No such marriage, it is stated here, has

Korean Slayer Sentenced. Korean Slayer Sentenced.

San Francisco, Jan. 2.—L. W. Chang, the Korean who killed Durham White Stevens, the American diplomat, was this morning sentenced.

Baltimore and Beturn, 31.25,
Baltimore & Onlo R. R.,
Every Saturday and Sunday. All trains, both ways, both days, except Royal Limited. City offices, 1817 G st. and 619 Pa. ave. morning sentenced to twenty-five years in San Quentin by Judge Cook.

### WEATHER FORECAST.

For the District of Columbia, Maryland, and Virginia - Fair and warmer to-day; to-morrow probably fair, with moderate temperature; southerly winds.

### HERALD NEWS SUMMARY.

TELEGRAPHIC. 1-Tries to Kill Night Riders' Prosecutor. 1-Mrs. Erb Recites Stories of Abuse. 1-Burton Named by Ohio Caucus. 1-Italy Wars Against Pestilence 1-Taft Speaks on the South. 4-Stories of Earthquake Refugees. 10-Justice Wants Hains Case Rushed.

10-China Dismisses Grand Councilor

LOCAL. 2-Money Needed to Clean Streets. 2-Dr. W. L. White Passes Away. 4-Congress to Aid Quake Victims. 10-Italians Hold Mass Meeting To-day. 12-More/Teachers Needed in Country.

## **BURTON IS NAMED** BY OHIO CAUCUS

Will Be Formally Elected Senator on January 12.

but missed his mark. Mr. Caldwell pro- leader of the House of Representatives that might prejudice. Yet she did not ceeded to his home, and Sheriff Easter- and chairman of its Committee on Rivers and Harbors, is to-night virtually Senator-elect from Ohio, the successor of Joseph Benson Foraker.

house, who constitute the Republican own life." majorities of these bodies, which was

There will be no other Republican can-

the State's most important witnesses in The formal election will be held Janu-

Morris made a confession at Camp umph. He remained at his hotel until Nemo, acknowledging that he was a sent for to address the members of the sider all matters of vital interest that ings wi he support of the people of Ghio.

ace Are Damaged.

FIREMEN DO GOOD WORK counsel for the State to tell the jury in Exact Figures of Damages Not Ob- head." Water Tower, and Other Apparatus

ings from Destruction.

testified otherwise her husband would be story brick building owned by Mr. married Mr. Erb, because I was ashamed plexion or another, but that it is to be-A thorough cross-examination by coun- Schmitz, caught fire in the rear. to leave him," she protested in a sob- come a place where politics are, as in bing voice. "I could not face my mother the rest of the country, a debatable sel for the defense failed to change her Two alarms were sounded and sev- and admit my disgrace. He had told the proposition. Politics should be here, as in one of the leading Grand Rapids banks that his expulsion at the time of the estimony.

This afternoon the defense rested and eral companies of firemen, the water world that I was his wife, he had told elsewhere, a subject to compel attention last Wednesday, and thereby made heritage in administration would seriously of every one." This afternoon the defense rested and the State began the introduction of evi- tower, and other apparatus respond- had married me and so I stood his cruelty ed. The firemen had difficulty in and abuse."

They directed their efforts to ex-

cessful after a half hour's work.

and household supplies in general. seemed about to fall from the oaken of the South," where he has been visit-

Report of Wedding Denied.

Special to The Washington Herald, Thursday to Miss Lizzie Osburn is de-

Seaboard Florida Limited. Handsomest and quickest train in Flor-da service. Solid Pullman, electric-light-Flowers for the Coming-out Tea. ed throughout. Will commence we effects. Blackistone, 14th and H. January 4. Office, 121 Pa. ave.

MRS. ERB RECITES STORIES OF ABUSE

Testimony Carries Sense of Horror that Appeals.

DOES NOT SPARE SELF

Tells How Captain Beat Her and How She Fought Back.

Widow of Murdered Man Describes Life at Red Gables, and When She Tells of the Slaying and Terrible Struggles that Preceded It, There Is Not a Dry Eye in Court-room, Witness Almost Breaks Down.

Media, Pa., Jan. 2 .- Never before in the istory of a Pennsylvania court has there been recited a tale of abuse of women by man such as was told on the witness stand here to-day by Mrs. M. Florence Erb, widow of Capt. J. Clayton Erb, in her own defense for her husband's mur-

It was a tale of brutality that has sel-Meet During Afternoon and Former dom been paralleled, even in fiction. And Representative in Congress Is on it was driven home by the very manner of Hand to Enjoy His Triumph, the woman herself as she sat, shrinking-Pledges Self for Party Harmony. | ly responding to the interrogations of her leading counsel, W. Cloud Alexander, telling the things that could best be ex-Columbus, Ohio, Jan. 2.-Theodore E. pected to influence the jury, while at the immediately opened fire upon the stranger, Burton, of Cuyahega County, former same time skimming lightly over those spare herself.
"I threw a cuspidor at my husband's SPEAKS ON THE SOUTH

head," she declared, "and a vase thrown This is the result of the caucuses of by me shattered on his face, but he had the members of the State senate and been beating me and I was in fear of my

Mrs. Erb scored heavily in the defense of herself and her sister, Mrs. Beisel, in dicted jointly for the murder of the man who was in life the intimate friend and MOVED BY FERVENT APPEAL the night rider case, accompanied by his ary 12 at noon, but every member of the confidant of the members of the Quaker wife, left here this afternoon for Dres- majority entered the caucuses and is City Republican political machine. Her narrative carried a sense of horror that President-elect, in Declining Invita-Burton was present to enjoy his tri- cannot have failed to impress the jury. Told Jury Her Story.

She was very pale, and her peculiar member of the night riders and that he general assembly. He pledged himself style of beauty was well set off by the had participated in a number of raids to work for party harmony, and then mourning garb she wore. She related made by the outlaws, but denied that he made a fervid appeal to the members of to the jury circumstantial events of was present at the murder or had taken the legislature to stand firm and conto Red Gables, she swore, the captain batable ground on ejection day."

though I was not human.

and I took refuge from his brutalities H. Rhodes, who said: in the cupola he came up and dragged "We of Birmingham regard the result

tainable-Several Companies, the Friends of Capt. Erb to-night declare the South over their own protest." that the widow's story is untrue. They declare that none of the scenes she de-Extinguish the Flames-Save Build- scribed could actually have happened, and insist that her tale was devised for jury consumption. On the other hand, the defense promises to have every word of it corroborated by her brother, her Fire which started in Schmitz's sister, and the servants of the Erb house-

This afternoon the special grand jury presented its final report to Judge Jones. checking the flames, which had was the recital of the events that imme-The grand jury returned four indict- gained good headway before they diately followed the shooting. She had of the important cities, and he ranked who presented a check to be cashed. her on the night of the shooting.

Seemingly unmoved mentally, although beaten by Erb, run away from him in The flames spread to King's frantic struggle with the electric hand Romantic Story of Aid to Poor that establishment was quickly conface, and told of his final struggle with her sister while the revolver was in his hand. But when the lawyer asked her

> ingly lost all of her self-control. A Dramatic Moment.

the witness, seeming to realize that every jointly in the shadow of the gallows with "But I did not then realize just what

had happened. I did not know that he was dead or dying. I just ran down She told of bringing the maid up stairs with her, of calling in vain for a doctor over the telephone, of seeing her sister lying in such a faint that she thought her dead, and of trying to revive her.

examination. Going into the early his-Continued on Page 2, Column 6.

Prosecutor McDade conducted the cro

Evening Train to North and West to Leave at 7 p. m.

On January 4 Pennsylvania Railroad train heretofore leaving Washington at 7.05 p. m. for Buffalo and the North-for Pittsburg, Chicago, St. Louis, Cleveland, Cincinnati, and the West-will be changed to leave Union Station at 7 p. m. daily.



Taft Says It Should Be Debatable Ground.

WASHINGTON, D. C., SUNDAY, JANUARY 3, 1909 .- THIRTY-SIX PAGES.

tion to Visit Birmingham, Declares His Intention of Touring that Section Soon After He Assumes Office, Pays Tribute High to Hospitality,

and bare fisfs, and culminated the entire Wikiam Jowara Taft to-day admitted story with an account of a night of hor- that it is one great object of his to ror, when, according to her, she lay change the political complexion of the alf fainting on a couch while the man South. Not, as he explained, to make it who had made her his wife threatened Republican in faith, but simply to make to kill. From the instant that she went it, as in certain other sections, "de-

subjected her to indignities of the most The speech was one of the most important Judge Taft has ever made. It "He wanted to get rid of me," she was when urged by a delegation from plaintively said, "and when I would not Birmingham, Ala., that he reconsider his consent to a divorce he treated me as own personal feeling and visit that city before he returns to Washington. The "When he drove me out of the house invitation was delivered by Gen. Rufus

me down the stairs by the hair on my of the jast election as a benediction from GIRL PICKS THIEF'S POCKET God Almighty himself to the people of Moved by Appeal.

Mr. Taft was plainly moved by the his original intention and declined the invitation. He promised, however, that, if possible, he would go to Birmingham en route home from Panama. But if inaugurated, he declared.

Joe Hogg and Jack Long had visited her at 818 Seventh street, at 3.15 Mrs. Erb admitted that she had lived earnest words," he said, "as it is an several times while she was stopping with a relative at the Lake, and also while o'clock, resulted in heavy damage. with Capt. Erb at Red Gables from May, evidence among the thoughtful men of a relative at the Lake, and also while of Clock, resulted in heavy damage.

The store, which is in a threeBut I stayed at Red Gables and I South is not to take one political com-

Will Visit South.

it was his intention to tour the South the bank. Just ahead of her was a man decide to contest the authority of the aggerated. No rescuers work with greattold how Erb had beaten and abused Birmingham as among the first, because As the teller turned his head for an ital is in sympathy with the deposed of its big mining interests. He then said: instant, the girl saw the man reach official almost to a man. revolution, or a land slide in this politi- stract a big roll of greenbacks that the cal movement, that is very much in evi- teller had carelessly left lying close to dence in every section of the South. What the wicker. The man hastily shoved the dependence of action; that is all. If the Quick as a flash the girl reached in his were to succeed in controlling two or approaching when there shall be no man made good his escape.

Pays High Tribute.

Mr. Taft then paid high tribute to the

Republican National Chairman Hitchcock refused to-night to deny or confirm Republican members of the Oregon legislly, for which it was difficult enough to well-known millinery store, was the chair, and, through eyes and vote against the inflamed with emotion, stared at her lawyer, her white-haired mother and her lawyer. lature, advising them to violate their to-day. He informed me that Lupton primary pledges and vote against the (vice consul at Messina) escaped unin-

### STEAL BABY CARRIAGES.

Wilkesbarre, Pa., Jan. 2 .- A novel plunder was secured this morning by burglars who broke into the Lehigh Valley Railroad station at Avera, they taking four baby carriages.

A number of boxes and bundles were broken open, but apparently nothing attracted the cupidity of the burglars until they found the baby carriages.

## THE PRESIDENT'S APPEAL

The President sent the follow ing dispatch last night to Patrick F. McGowan, chairman of the American Italian General Relief Committee, New York City:

"I earnestly wish success to the American Italian General Relief Committee in its great mass meeting at Madison Square Garden. It is, of course, not possible for me to attend in person.

S A SHAME

"I am doing everything that can be done to get aid to the suffering, and on account of the extreme urgency of the case have sent two supply ships with \$300,-000 worth of food and provisions without waiting for the authority of Congress, being confident that

"I shall also ask Congress for additional aid, and throughout the coming week will keep in the closest touch with Congress, and, through the State Department, with Italy, so that everything nowsible to be done by the United States may be done.

"Furthermore, I have cabled the Italian government proffering the services of any or all of the bat-

tle-ship fleet if such can be of use in this crisis. "THEODORE ROOSEVELT."

fervency of the appeal, but he stuck to Man Grabbed \$1,700 When Bank Teller Was Not Looking.

> Greenbacks from His Pocket When He's Not Looking.

Grand Rapids, Mich., Jan. 2.-Miss Cor- nasty. teen-year-old miss, picked a man's pocket his position of power only through fear was slight, and that the Duke of Aosta self a heroine.

"Do not think that I expect a great under the bars at the window and ab-

party of which I am the representative pocket and abstracted the bills and hid ton over the sudden eclipse of Yuan Shi patches say that certain aristocration was to succeed in controlling two or three States in the South, it would by no them in her muff. The man made his Kai in China, whose influence and policies members of the Women's Red Cross Sothree states in the south, it would by no means inure to the benefit of the party way from the bank before the money was simplified the friendly relations of the Messina, and the Queen telegraphed to the reason that the solidity of the missed. The girl then made her way empire with the foreign powers. South's votes has made a number of the states in the North solid for our party. Over the roll to him. It was counted sudden ascendency of the Manchula A hospital ship went. over the roll to him. It was counted sudden ascendency of the Manchu A hospital ship went to-day with the "All I have is the hope that the time is and found to contain nearly \$1,700. The dynasty and the return of the govern-

### CONSUL LUPTON SAFE.

Swiss Refugee Gives News of Disaster to Ambassador Griscom.

The State Department last night reeived the following dispatch from Ambassador Griscom at Rome:

merchant of Messina, arrived in Rome jured. Sarauw went with Lupton and Declares Ruef and Herrin Were found the remains of our consulate at Messina, a three-story house, crumbled to the ground.

wife must have perished. Sarauw and a disbursing agent.

ish and Italian woman who were killed members, who had met to hear him, al-He assures me that Taormina escaped most rose to their feet in their enthusiuninjured. A number of Americans who asm and cheered him. Special Centerpieces for the New Year's were there are reported to be doing splen-Dinner and reception, it up. Blackistone, did relief work. did relief work."

# CHINA FACES CRISIS

Dismissal of Grand Councilor Causes Protest.

MINISTERS ARE IN CONFERENCE

Yuan Shi Kai's Dismissal Looked Upon as a Blow at Reform Movement, and Diplomats May Join in Asking that Prince Chun's Edict Be Rescinded at Once.

Pekin Jan. 2.-A political crisis, scarcely less momentous than that which im- fears were unfounded. mediately followed the recent deaths of cllor and head of the Chinese army.

The situation is so acute that the for- on the British ships now in the harbor eign ministers, including American Min- at Messina.

of action. to attempt to overthrow the present dy. Pope expressed his special reliance on nasty, the ministers are likely to urge lish, and British.

the rescinding of the edict. fant Pu YI to the throne

Will Visit South.

Miss-Vanstrien was standing in the est man." He is in a position to command a tremendous following should be selves into the work have not been ex-

The foreign element in the Chinese cap- er energy.

## DISMISSAL CAUSES ALARM.

Upon with Forebodings,

ment to the anti-foreign attitude which Margherita has decided to go to Mesexisted before the Boxer outbreak. Yuan sina. The Duke of Aosta is striving to was the powerful leader of the pro- reach the isolated towns in Calabria, gressive party, and his going will prob- where help has been impossible, owing ably mark the beginning of a retrograde to lack of communication. The profound movement on the part of the government. grief of the Pope continues. He perby Na Lung, and his downfall means the of Sicily, and it is said to-day that be triumph of his most powerful opponent, has decided to change even the museums whom he himself first raised to favor, into hospitals. "A Swiss refugee named Sarauw, a Tieh Liang, president of the board of

# HENEY ACCUSES HARRIMAN. Two Refugees Arrive in London and

Merely His Tools. never the political boss of San Francisco; attending the earthquake and the subse-"It was impossible to search the debris neither was W. F. Herrin, head of the quent tidal wave were brought to Lonthoroughly, but they satisfied themselves legal department of the Southern Pacific, don to-day by two refugees from Mesthat Cheney (consul at Messina) and his Ruef's sponsor. Herrin was a tool; Ruef sina. One of them, a French sailor,

"E. H. Harriman was the boss, the corsteamer Chesapeake, and later on a British man-of-war. Lupton was alive ruptionist, and he played that part beand well when last seen, on December 31. cause he wished to exploit the California Sarauw informs me that he does not public for the purpose of achieving his knew of a single native American citi-own selfish ends," said Francis J. Heney, of San Francisco, prosecutor of Ruef, "Those who e "The travelers staying in the Hotel concluding a forceful arraignment at the Trinacria were all saved except the Swed- City Club to-day just after luncheon. The

\$1.25 to Baltimore and Return To-day viz Baltimore and Ohio Railroad,

# HEROIG WARFARE AGAINST PLAGUE

FIVE CENTS.

News from Sicily Tells of Ceaseless Struggle.

ROYAL PAIR LEAD WORK

Streets Are Choked by Troops and Needed Supplies.

English and American Ambassadors Delayed with Anxious Inquiries About Relatives, and Mr. Griscom Announces that Those in American Consulate Were Only Americans. Pope Again Subscribes to Fund.

Rome, Jan. 2.-Messages from the Calabrian coast and Sicily to-night tell one story-a story of heroism and ceaseless struggle against famine and pestilence which stalk in the wake of the earthquake.

church, by the war ships of foreign powers, and the contributions pouring in from all parts of the civilized world, is: doing everything possible to cope with

King Emmanuel wired the premier from the heart of the earthquake belt: "Send Ships! Ships! Ships! Send

many men, but, above all, send plenty of It is plague that the authorities fear worst of all. There is only one railroad ine operating from Naples to the south. It is choked by troops and necessary supplies. If the wretched survivors are

saved from the plague, they must be rescued at once. The Pope has subscribed an additional

\$200,000 to the relief funds. No further attempts are being made to ount the dead. Foreign ambassadors are ending every effort to locate their missng fellow-countrymen.

The American Ambassador, Mr. Grisom, said to-night that he was convinced lar representatives who met death in other Americans died, at least in Mesina. Since the city was destroyed he has received many frantic messages from the United States asking him to search for missing persons believed to be in the town. As a result of careful inves-tigation, he is now convinced that the

No American Residents.

the Emperor and the Empress Dowager, He said to-night: "There were no has been precipiated by the summary American permanent residents of the dismissal of Yuan Shi Kai, grand coun-city, and the few that were inmates of the Trinacria Hotel managed to escape." The guise under which Prince Chun, The British ambassador, hearing simithe regent, attempted to conceal the ac- lar reports of many Englishmen killed tion-that of the physical infirmities of at Messina, and unable to obtain defi-Yuan-has been thrown aside, and it is nite news, will in person head an expenow all but proved that the former grand dition into the earthquake region to councilor is a victim of a Manchurian search for the dead and secure the survivors. He will make his headquarters

ister Rockhill, have been in almost con- The people, realizing that the calamity stant conference since the edict was pub- has appealed to the charity of the whole lished in an effort to agree on a course world, have decided to appeal to the bishops of the Catholic Church in every Realizing that the modernists are likely land to ask subscriptions for stricken to seize upon the startling development Italy. In reaching this decision, the

The problem is not alone one of feed-To-day's action, it is now seen, is but ing the thousands of survivors, and later a development of the anti-Manchu agi- removing them to more healthful habitanot, he will surely get there after he is Young Woman Thereupon Removes tation that followed the elevation of tions. They must be fed and cared for Prince Chun to the regency and the in- for months, until they are able to become self-supporting. The Pope, in pri-This was considered an affront to the reform party, which is insisting on the re-establishment of a real Chinese dy-

> was only slightly injured. King and Queen Work Hard. Late advices from the scene of the Yuan has been called "China's strong- earthquake show that the stories that

> > The nostrils of the workers are filled with carbolic cotton, which is often changed. This serves as a partial defense against the overwhelming odor.

Queen Helena, too, is working as hard Eclipse of Yuan Shi Kai Looked as any other woman. She is acting as an ordinary nurse, attending to the hum-Much apprehension exists in Washing- blest wants of the injured. The diseach one personally, thus forcing them

board. It is said also Dowager Queen He will be succeeded as grand councilor sonally answers massages from the Bishop

VIVID WORD PICTURE.

Describe the Horrors.

London, Jan. 2.-Harrowing details of the terrible suffering of the victims of Philadelphia, Jan. 2.—"Abe Ruef was the Italian earthquake and the scene said:

> "I saw the houses fall, one after another, as if they were toys. People rushed from their ruined homes and ran along the streets, shricking and praying "Those who escaped death by the

> tumbling of their homes were soon knocked down by falling walls which had withstood the first shock "It was awful. The people rushed

> madly about, terror-siricken, but not knowing which way to turn to escape.

Continued on Page 4, Column &